

Dia:

222297

May 6, 2008

Hon. Ann K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

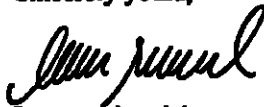
Re. STB Finance Docket No. 35106
*United States Department of Energy – Rail Construction and Operation
- Caliente Rail Line in Lincoln, Nye, and Esmeralda Counties, Nevada*
Notice of Intent to Participate

Dear Secretary Quinlan:

We are writing in response to the Surface Transportation Board, Notice of Construction and Operation Application and Adoption of Procedural Schedule, published in the Federal Register, on April 16, 2008.

Pursuant to the Board's Notice, we hereby provide notice of intent to participate in this proceeding as a party of record. We respectfully request that we receive copies of all filings, submissions, discovery requests and responses, notices, and decisions made in this proceeding. When applicable we prefer to receive this information via email at ksonnenborn@diaart.org. Thank you.

Sincerely yours,



Laura Raicovich
Deputy Director
Dia Art Foundation



Mary and Michael Heizer
Triple Aught Foundation
PO Box 33
Hiko, NV 89017

CERTIFICATE OF SERVICE

I certify that on May 7, 2008 a copy of the foregoing Dia Art Foundation and Triple Aught Foundation's Notice of Intent to Participate was provided to parties or counsel of record, and others identified below, by first-class US mail or email

The Honorable Shelley Berkley
United States House of Representatives
405 Cannon House Office Building
Washington, DC 20515

Jonl Eastley
Nye County
101 Radar Road
Tonopah, NV 89049

John Brown
Brown and Frehner, LLP
PO Box 656
Alamo, NV 89001

Joseph R. Egan
Martin G. Malsch
Charles J. Fitzpatrick
Egan, Fitzpatrick, & Malsch
12500 San Pedro Avenue, Suite 555
San Antonio, TX 78216
mmalsch@nuclearlawyer.com

Kevin W. Bell
California Energy Commission
1516 9th Street
Sacramento, CA 95814-5512

Louis E. Gitomer, Esq.
Law Offices of Louis E. Gitomer
The Adams Building, Suite 301
600 Baltimore Avenue
Townson, MD 21204
Lou_Gitmore@verizon.net

Allen Benson
Department of Energy
Office of Civilian Radioactive Waste
Management
180 Town Center Drive
Las Vegas, NV 89134

John E. Hadder
Healing Ourselves & Mother Earth
PO Box 6595
Reno, NV 89513

Jan Cole
Managing Member
Caliente Hot Springs Resort, LLC
6772 Running Colors Avenue
Las Vegas, NV 89131
jancole@land-water.com

Paul R. Hitchcock
Associate General Counsel
CSX Transportation, Inc
500 Water Street
Jacksonville, FL 32202

Michael S. Cyphers
City of Henderson
240 S Water Street, Msc #133
Henderson, NV 89015

Merril Hirsch
William H. Briggs
Ross, Dixon, & Bell
2001 K Street NW, 4th Floor
Washington, DC 20006-1040
mhirsch@rdbl.com

Director
Office of Civilian Radioactive Waste
Management
United States Department of Energy
1000 Independence Avenue SW
Washington, DC 20585

Robert Alan Kemp
Nevada Central Railroad
Aviation Technologies Ltd
4959 Talbot Lane, Unit #89
Reno, NV 89509

Director
Office of Logistics Management
United States Department of Energy
1000 Independence Avenue SW
Washington, DC 20585

Paul H. Lamboley
Law Offices of Paul H. Lamboley
Bank of America Plaza, Suite 645
50 West Liberty Street
Reno, NV 89501
phlamboley@aol.com

Bradley L. Levine
Assistant General Counsel, Civilian
Nuclear Programs
United States Department of Energy
1000 Independence Avenue SW
Washington, DC 20585
Bradley.Levine@hq.doe.gov

Malachy R. Murphy
Nye County, Nevada
18160 Cottonwood Road, #265
Sunriver, OR 97707

Rex Massey
Churchill County Comptroller
PO Box 19549
Reno, NV 89511

Catherine Cortez Masto
Nevada Attorney General
Marta A. Adams
Senior Deputy Attorney General
Office of the Attorney General of the
State of Nevada
madams@ag.nv.gov

Linda Mathias
Mineral County Nuclear Projects Office
PO Box 1600
Hawthorne, NV 89415-1600

Fred Millar
915 S. Buchanan Street, Apt 29
Arlington, VA 22204

G. Paul Moates
Sidley Austin, LLP
1501 K Street NW
Washington, DC 20005

Notice of Intent to Participate
STB Finance Docket No 35106

Mary B. Neumayr
James B. McRae
Martha S. Crosland
Bradley L. Levine
United States Department of Energy
Office of the General Counsel
1000 Independence Avenue SW
Washington, DC 20008

Robert T. Opal
Union Pacific Railroad Company
1400 Douglas Street, Stop 1580
Omaha, NE 68179-0001

The Honorable Mayor Kevin Phillips
City Of Caliente
PO Box 1006
Caliente, NV 89008

Connie Simkins
N-4 State Grazing Board
PO Box 461
Panaca, NV 89042

Deborah Teske
Lander County
315 S. Humboldt Street
Battle Mountain, NV 89820

Gracian Uhalde
PO Box 151088
Ely, NV 89315

David Wright
Nuclear Waste Strategy Coalition
PO Box 5233
Pinehurst, NC 28374



Katie Sonnenborn
Dia Art Foundation